

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GREGORY GILMORE, Plaintiff, v. MICHAEL J ASTRUE, Defendant.	No. C 08-01576 CW ORDER GRANTING EXTENSION OF TIME FOR PLAINTIFF TO FILE MOTION FOR SUMMARY JUDGMENT
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Plaintiff Gregory Gilmore filed this complaint on March 21, 2008 and, on the same date, the Court issued a scheduling order which indicated that Plaintiff must serve and file a motion for summary judgment or for remand within thirty days of service of Defendant's answer. On August 4, 2008, Defendant filed his answer. To date, Plaintiff has not filed a motion as directed in the scheduling order.

Plaintiff shall have thirty days from the date of this order to serve and file his motion for summary judgment or for remand. Defendant shall serve and file any opposition and cross-motion within thirty days of service of Plaintiff's motion. Plaintiff may serve and file a reply within fourteen days of service of Defendant's opposition and cross-motion.

If Plaintiff does not file a motion for summary judgment or

1 remand within thirty days from the date of this order, the case
2 will be dismissed for failure to prosecute.

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4 IT IS SO ORDERED.

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6 Dated: 3/10/09



7 CLAUDIA WILKEN
8 United States District Judge
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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

GREGORY GILMORE,

Plaintiff,

v.

MICHAEL J ASTRUE et al,

Defendant.

Case Number: CV08-01576 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 10, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Gregory J. Gilmore
P.O. Box 1523
San Anselmo, CA 94960

Dated: March 10, 2009

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk

United States District Court
For the Northern District of California